



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street, 3rd floor
New York, New York 10007*

May 24, 2019

BY ECF

The Honorable Paul A. Engelmayer
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *ACLU, et al. v. DOD, et al.*, No. 17 Civ. 3391 (PAE)

Dear Judge Engelmayer:

I write respectfully on behalf of Defendants the Department of Defense ("DOD") and Department of State ("DOS")¹ in the above-referenced action brought pursuant to the Freedom of Information Act, 5 U.S.C. § 552 ("FOIA"). We write with Plaintiffs' consent to request a one-week enlargement of Defendants' deadline to file its opposition and reply memorandum of law in connection with the pending summary judgment briefing in this case, from May 31 to June 7, 2019. *See* Dkt. No. 110. This is Defendants' first request for an enlargement of this deadline. The reason for the request is that Defendants require some additional time to prepare and finalize their upcoming submission due to the undersigned counsel's recent absence from the office for several days due to illness. I have consulted with Plaintiffs, who courteously consented to this request. If the Court is inclined to grant the request set forth herein, the parties have conferred and respectfully request that the remaining briefing deadlines be modified as follows:

- Defendants DOD and DOS file their opposition and reply (25 pages) on June 7, 2019; and
- Plaintiffs file their reply (25 pages) on July 2, 2019.

We thank the Court for its consideration of this matter.

¹ Defendant the Central Intelligence Agency ("CIA") is no longer a party to the parties' pending summary judgment motion practice, as Plaintiffs have withdrawn their challenges to CIA's FOIA responses. *See* Dkt. No. 118 at 11 n.41

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

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cc: Counsel of record (by ECF)

Granted.

SO ORDERED.

5/28/19
Paul A. Engelmayer
PAUL A. ENGELMAYER
United States District Judge